

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CARL BROWN,

Plaintiff,

v.

ANTHONY ANNUCCI, et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 8/22/2022

Case No. 7:19-cv-2296-NSR

ECF Case

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER AMENDING
SCHEDULE**

WHEREAS, on June 29, 2022, Plaintiff filed his Third Amended Complaint (Dkt. 159), *pro se*, against Defendants Anthony Annucci, Lt. Bryan P. Anspach, C.O. Damon M. Ausman, C.O. Jeffery Bengim, Sgt. Dennis Benitez, Jr, Capt. Bey, Lt. Orazio Bucolo, C.O. Keith Daishawn, C.O. Craig F. Doyle, C.O. Fonseca, C.O. James Garcia, Thomas Griffin, C.O. Clifford Gunsett, Lt. Susan Hann, Lt. Robert Hotaling, C.O. Daniel Huttel, Dr. Yelena Korobkova, Supt. LaManna, C.O. Christina Lorenzo, C.O. Steven Purcell Sr., C.O. Steven Purcell, Jr., Sgt. Zikiya Reyes-Jordan, DSS. A. Russo, and C.O. Robert Womacsko (collectively, “Defendants”);

WHEREAS, on August 4, 2022, Defendants requested, Dkt. 168, and the Court Granted, Dkt. 169, an extension of time for Defendants to respond to Plaintiff’s Third Amended Complaint; and

WHEREAS, attorneys Jonathan D. Brit, Alana Siegel, and Zhikun Jiang of Kirkland & Ellis LLP each entered a Notice of Limited Appearance as *Pro Bono* Counsel on behalf of Plaintiff on August 10, 2022, Dkts. 170, 171, 172.

NOW IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Defendants (collectively, the “Parties”) in the above captioned action, acting by means of their respective counsel and subject to the Court’s approval, that:

1. Plaintiff serve ~~XXXX~~ (not file) a Motion for Leave to File a Fourth Amended Complaint on or before January 31, 2023 (hereinafter, "Motion");
2. Said Motion shall attach a Fourth Amended Complaint as an Exhibit thereto;
3. Should Defendants oppose Plaintiff's Motion, Defendants shall serve ~~XXXX~~ (not file) a Response to said Motion on or before February 28, 2023, and Plaintiff may serve ~~XXXX~~ a Reply on or before March 14, 2023, and Plaintiff shall file all motion documents on the Reply date, March 14, 2023;
4. Defendants reserve the right to raise all applicable defenses and objections to any Motion made by Plaintiff;
5. All other case deadlines shall be adjourned until further notice; and
6. These deadlines are subject to change based on the consent of all parties; and

IT IS FURTHER STIPULATED AND AGREED, this stipulation may be executed in one or more counterparts, and that electronic signatures shall be deemed the same as an original for purposes of this stipulation.

/s/ Jonathan D. Brit

Jonathan D. Brit
Jonathan.Brit@kirkland.com
Alana Siegel
Alana.Siegel@kirkland.com
Zhikun Jiang
David.Jiang@kirkland.com

KIRKLAND & ELLIS LLP

601 Lexington Ave.
New York, NY 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

Attorneys for Plaintiff

Date: August 19, 2022

/s/ Jeb Harben

Jeb Harben
Assistant Attorney General
Jeb.Harben@ag.ny.gov

State of New York
Office of the Attorney General
Division of State Counsel, Litigation Bureau
28 Liberty Street, 18th Floor
New York, NY 10005
Telephone: (212) 416-6185
Facsimile: (212) 416-6075
Attorneys for Defendants

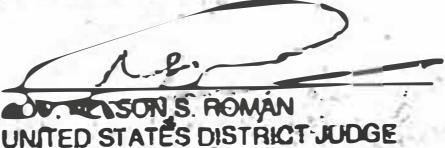
Date: August 19, 2022

The Court grants the proposed joint stipulation, as modified above.

The Court directs all parties to provide to Chambers two courtesy copies by mail and one electronic copy as the documents are served. The Clerk of the Court is kindly directed to terminate the motion at ECF No. 173.

Dated: August 22, 2022
White Plains, NY

SO ORDERED:



HON. SON S. ROMAN
UNITED STATES DISTRICT JUDGE